

REMARKS

Claims 1-30 are all the claims pending in the application.

Applicants' claim for foreign priority, or receipt of the certified copies of the priority documents, has not been acknowledged. Applicants request the examiner to make such an acknowledgment in the next communication to Applicants.

I. RESPONSE TO PRIOR ART REJECTIONS

Claims 1-26 have been rejected under 35 U.S.C. § 102(b) as anticipated by WO 02/22098 to Ishii et al or U.S. Patent No. 6,500,415 to Ishii et al.

Claims 20-26 have been rejected under 35 U.S.C. § 103(a) as obvious over WO '098 or Ishii et al '415 in view of JP 2000-319128 to Takeshi.

For the reasons presented in the Response Under 37 C.F.R. § 1.116 filed August 10, 2006, Applicants respectfully traverse each of the prior art rejections. Applicants do not repeat their arguments from the August 10th filing here for reasons of brevity, but kindly request the examiner to reconsider said arguments in view of the following additional comments.

The Advisory Action mailed September 18, 2006, contains the following remarks at Section No. 1 on page 2:

[J]et milling meets the claim language "dry-format classification".

Consequently, the jet milling procedure as taught in both the Ishii patents meets the claim process limitation.

Applicants respectfully disagree.

To a person of ordinary skill in the art, a jet-mill is "a pulverizer," not "a classifier." Therefore, amended independent Claims 1 and 2, which recite that the amount is obtained by a dry-format classifier, exclude a jet-mill.

In view of the above, including the reasons presented in the Response Under 37 C.F.R. § 1.116 filed August 10, 2006, Claims 1-26 are patentable over WO '098 and Ishii et

al '415 and, accordingly, withdrawal of the §102 rejection is requested. Claims 20-26 depend, either directly or indirectly, from Claims 1 or 2. Further, JP '128 does not disclose or suggest the dry classifier set forth in Claims 1 and 2 and, therefore, does not supply the deficiencies of WO '098 and Ishii et al '415. Claims 20-26 are therefore also patentable over the cited prior art and, accordingly, withdrawal of the §103 rejection is also requested.

II. CONCLUSION

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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